



PATENT  
ATTORNEY DOCKET NO. 50026/008001

Certificate of Mailing: Date of Deposit: May 20, 2003

I hereby certify under 37 C.F.R. § 1.10(a) that this correspondence is being deposited with the United States Postal Service as **Express Mail Post Office to Addressee** with sufficient postage on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Michelle P. Chicos

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yoshiyuki Nagai et al.

Art Unit: 1632

Serial No.: 09/132,521

Examiner: J. Woitach

Filed: August 11, 1998

Customer No.: 21559

Title: RECOMBINANT SENDAI VIRUS VECTOR EXPRESSING  
CHEMOKINE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATEMENT UNDER 37 C.F.R. §§ 1.821 - 1.825

In reply to the Office Action that was mailed in connection with the above-referenced case on November 20, 2002, enclosed is a Sequence Listing in accordance with the requirements of 37 C.F.R. §§ 1.821 through 1.825 and consisting of two pages.

As required by 37 C.F.R. § 1.821(c), the Sequence Listing appears as a separate part of the application. Each sequence in the application appears separately in the Sequence Listing, and each sequence in the Sequence Listing is assigned a separate sequence identifier.

As required by 37 C.F.R. § 1.821(d), the sequence identifiers are used throughout

the application description to refer to their respective sequences.

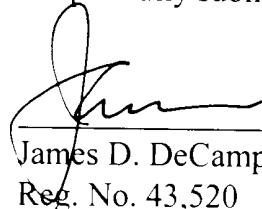
As required by 37 C.F.R. § 1.821(e), enclosed is a diskette containing a copy of the Sequence Listing in computer readable form.

As required by 37 C.F.R. § 1.821(f), I hereby state that the contents of the computer readable form of the Sequence Listing are the same as the contents of the paper copy.

As required by 37 C.F.R. § 1.821(g), I hereby state that this submission contains no new matter.

If there are any charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

  
\_\_\_\_\_  
James D. DeCamp, Ph.D.  
Reg. No. 43,520

Clark & Elbing LLP  
101 Federal Street  
Boston, MA 02110  
Telephone: 617-428-0200  
Facsimile: 617-428-7045



21559  
PATENT TRADEMARK OFFICE

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6-6  
C-1633

Date of Deposit	May 22, 2000	Certificate of Mailing	Label Number	EL509045935US
I hereby certify under 37 CFR 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to BOX PATENT APPLICATION, Assistant Commissioner for Patents, Washington, D.C. 20231.				
Luis A. Cruz Printed name of person mailing correspondence		Signature of person mailing correspondence		

#### CONTINUED PROSECUTION APPLICATION TRANSMITTAL UNDER 37 CFR §1.53(d)

Attorney Docket Number	50026/008001
Applicant	YOSHIYUKI NAGAI, TATSUO SHIODA, and CHIKAYA MORIYA
Title	RECOMBINANT SENDAI VIRUS VECTOR EXPRESSING CHEMOKINE

#### PRIORITY INFORMATION:

This is a request for a continuation application under 37 CFR §1.53(d) (continued prosecution application (CPA)) of prior United States patent application 09/132,521, filed August 11, 1998.

#### FILING QUALIFICATIONS:

The prior application is a nonprovisional application that is either 1) complete as defined by 37 CFR 1.51(b); or 2) the national stage application of an international application in compliance with 35 USC 371.

#### EXPRESS ABANDONMENT:

This request for a CPA expressly abandons the prior application as of the filing date of this request.

#### ACCESS TO PRIOR APPLICATION:

This request for a CPA is construed to include a waiver of confidentiality by the applicant under 35 USC 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR §1.14 to access to, copies of, or information concerning the prior application may be given similar access to, copies of, or similar information concerning the other application or applications in the file jacket.

#### 35 USC 120 STATEMENT:

This request for a CPA is the specific reference required by 35 USC 120 to the prior application.

#### PAPERS ENCLOSED:

- |   |  |
|---|--|
| X | 1. A small entity statement was filed in the prior application. Such status is proper and desired. |
| X | 2. Please apply any charges not covered, or any credits, to Deposit Account No. 03-2095.           |
| X | 3. Enclosed is a check for \$497.00 to cover the total fees calculated below.                      |

#### FILING FEES:

Basic Filing Fee: \$345.00	\$345.00
Excess Claims Fee: 13 - 20 x \$9	\$0.00

05/24/2000 CVORACHA 00000103 032095 09132521

01 FC:231  
02 FC:202

345.00 0P  
4.00 CH 152.00 0P

Excess Independent Claims Fee: 7 - 3 x \$69	\$152.00
Multiple Dependent Claims Fee: \$130	\$0.00
Total Fees:	\$497.00

**CORRESPONDENCE ADDRESS:**

Paul T. Clark  
 Reg. No. 30,162  
 Clark & Elbing LLP  
 176 Federal Street  
 Boston, MA 02110

Telephone: 617-428-0200  
 Facsimile: 617-428-7045

PL-Eg  
 Signature

REG NO  
 35,238

22 May 2000

Date

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Michelle P. Chicos

Printed name of person mailing correspondence

*MICHICHI CHICOS*

Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yoshiyuki Nagai et al. Art Unit: 1632

Serial No.: 09/132,521 Examiner: J. Woitach

Filed: August 11, 1998 Customer No.: 21559

Title: RECOMBINANT SENDAI VIRUS VECTOR EXPRESSING  
CHEMOKINE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REPLY TO OFFICE ACTION

In reply to the Office action that was mailed in connection with the above-captioned patent application on November 20, 2002, Applicants submit the following Amendment and Remarks.

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